



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. PD-1380-16

THE STATE OF TEXAS

v.

GEOVANY HERNANDEZ, Appellee

**ON STATE'S PETITION FOR DISCRETIONARY REVIEW
FROM THE FOURTH COURT OF APPEALS
GILLESPIE COUNTY**

Per curiam.

We granted the State's petition to determine whether the improved shoulder of a road includes the line marking the edge of the road, whether an officer has reasonable suspicion to stop if a vehicle touches but does not cross over the line, and whether the presence of an oncoming vehicle was sufficient to give the driver in the present case sufficient cause to drive on the improved shoulder. Having examined the record and the briefs, we conclude that our decision to grant review was improvident. We therefore dismiss the State's petition for discretionary review as improvidently granted.

Delivered: April 11, 2018
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